

REMARKS

Amendments to the Claims

Claims 1, 13 and 17 are amended herein. Applicant contends that the amendments are supported by the Specification as filed and thus do not constitute new matter.

Claim Rejections Under 35 U.S.C. § 102 and 103

Claims 1-3 and 5-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by Borkenhagen et al. (U.S. Patent No. 5,067,105) in the Final Office Action mailed February 20, 2007. Claims 4, 11-14, 16-17 and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Borkenhagen et al. in view of Daberkó (U.S. Patent No. 5,787,445) in the Final Office Action mailed February 20, 2007.

The difference between the cited references and the presently amended claims is that the present subject matter can accommodate non-contiguous address space. Thus, in each of Applicant's claims, a chip select signal is not generated until a physical address has been determined from a look-up table or an address map. Applicant contends that Borkenhagen et al. makes clear in its Figure 1 and accompanying text that its card select is generated in response to the "6 most significant" bits of the logical memory address, which is in direct contrast to selecting the card based on an identified physical address as presently claimed. Applicant further contends that Borkenhagen et al. specifically teaches away from Applicant's claimed non-contiguous physical address space in that it requires each of the addressed memory cards to be error free and otherwise doesn't teach or suggest a possibility of using less than a full contiguous physical address space of a memory device. The secondary reference of Daberkó fails to cure the deficiencies of the primary reference of Borkenhagen et al. with regard to these limitations.

In view of the foregoing, Applicant contends that claims 1-3 and 5-10 are patentably distinct from Borkenhagen et al., and that claims 4, 11-14, 16-17 and 19-20 are patentably distinct from Borkenhagen et al. and Daberkó, taken either alone or in combination. Applicant thus respectfully requests reconsideration and withdrawal of the rejections, and allowance of claims 1-14, 16-17 and 19-20.

Double Patenting Rejection

Claims 11-14, 16, 17, 19 and 20 remain provisionally rejected under the judicially created obviousness-type double patenting as being unpatentable over claims 11-20 of copending U.S. Patent Application Serial No. 11/436,803. Upon an indication of allowability on the merits of claims in one or both of these applications, Applicant will take appropriate action to address the non-statutory double patenting rejection in one of the copending applications.

CONCLUSION

Claims 1, 13 and 17 are amended herein. Claims 1-14, 16-17 and 19-20 are currently pending.

In view of the above remarks, Applicant respectfully requests an indication of allowability of all pending claims on the merits. Please charge any further fees deemed necessary or credit any overpayment to Deposit Account No. 501373.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2204.

Respectfully submitted,

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